

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 1-3 and 4-10 are currently pending in this application. Claims 5-6 have been withdrawn from consideration. No new matter has been added by way of the present amendment. For instance, claims 1 and 7 have been amended to more clearly recite the features of the present invention. Accordingly, no new matter has been added.

At the outset, the present application is believed to be in condition for allowance. Entry of the accompanying amendment is requested under 37 C.F.R. §1.116, as the amendment does not raise any new issues which would require further search and/or consideration by the Examiner. Furthermore, Applicants request entry of this amendment in order to place the claims in better form for consideration on Appeal.

In view of the amendments and remarks herein, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

Substance of Interview

Applicants thank the Examiner for the time, helpfulness and courtesies extended to Applicants' representative during the Interview of June 3, 2009. The assistance of the Examiner in advancing prosecution of the present application is greatly appreciated. In compliance with M.P.E.P. § 713.04, Applicants submit the following remarks.

The outstanding rejection of the claims under 35 U.S.C. 101 and 35 U.S.C. 112, 1st paragraph was discussed. Applicants noted that these rejections are based on a misunderstanding of the features of the present invention. Various ways of addressing the rejections were

discussed, and suggestions were discussed that may be drafted to cover particular aspects of the invention.

Issues Under 35 U.S.C. 101

Claims 1-3 and 7-10 stand rejected under 35 U.S.C. 101 “because the disclosed invention is inoperative and therefore lacks utility.” Applicants respectfully traverse.

The Examiner argues that the limitation “...the coat of the chemical-resistant polymeric compound covering the porous film base is not porous” renders the claimed invention inoperable. Specifically, the Examiner asserts that the present invention is related to porous films used in membrane separation techniques, and, as such, a porous film having a non-porous coat would not be capable of maintaining the required communicating porous structure. Moreover, the Examiner notes that “it is unseen...how the coat, which conforms to the porous base film, would have a non-porous structure.” Additionally, the Examiner argues that one skilled in the art “would recognize that a non-porous coat is inoperable for use in membrane separation techniques.”

Applicants respectfully submit that the Examiner’s position is based on a misunderstanding of the claim language and the features of the claimed invention. The Examiner’s attention is directed to the Figure enclosed, which shows the matrix structure of the present invention, and further shows that the chemical-resistant polymeric compound in the present invention covers the porous film base but does not cover or fill the pores or voids in the porous film.

In order to advance prosecution of the present invention, Applicants have amended the claims so as to more clearly recite the novel features of the present invention. The present claim language removes the apparent confusion over the features of the “film base” and the porous quality of the presently claimed film.

Reconsideration and withdrawal of this rejection are thus respectfully requested.

Issues Under 35 U.S.C. 112, 1st paragraph

Claims 1-3 and 7-10 stand rejected under 35 U.S.C. 112, 1st paragraph. The Examiner asserts that “since the claimed invention is not supported by either a credible utility or a well established utility...one skilled in the art clearly would not know how to use the claimed invention.” Applicants respectfully traverse.

Applicants note that the Examples discussed at pages 40-64 of the present Specification clearly show how to make and use the claimed invention. For this reason alone, this rejection is improper and should be withdrawn.

Moreover, as noted above, it appears that the Examiner’s position is based on a misunderstanding of the claim language and the features of the claimed invention. In order to advance prosecution of the present invention, Applicants have amended the claims so as to more clearly recite the novel features of the present invention. The present claim language removes the apparent confusion over the features of the “film base” and the porous quality of the presently claimed film.

Reconsideration and withdrawal of this rejection are thus respectfully requested.

Conclusion


All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Vanessa Perez-Ramos, Reg. No. 61,158 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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Cross-section of the porous film

Matrix structure of the present invention

